

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.175 OF 2006
 IN
 CIVIL REVISION APPLICATION NO.1709 OF 2001

Richard Misquitta. ..Applicant.

V/s.

1(a) Mrs.Julie Xavier Dias & Ors. ..Respondents.

Mr.D.A.Joseph i/b. David & Associates for applicant.

CORAM: A.M.KHANWILKAR, J

DATE : JANUARY 11, 2007.

P.C. :

1. Heard Counsel for the applicant. Although I am not impressed with the excuse given in the application for non-appearance before the Registrar on 25th August, 2004 and further by not complying the conditional order passed by the Registrar on that date within the specified time, as also regarding delay in taking out the present application, however, in the interest of justice, the application is allowed in terms of prayer clause(a) and (b), on condition that the applicant shall pay costs quantified at Rs.5,000/- to the High Court Legal Services Committee within one week from today, failing which, this application be deemed to be dismissed for non-prosecution without further

reference to the Court.

2. In so far as revival of the interim stay is concerned, it will be open to the applicant to take out separate application and seek order thereon after serving the respondents.